REMARKS

This application has been carefully reviewed in light of the final Office Action dated February 8, 2007. Claims 1, 3 to 8, 10 to 14, 100, 101 and 103 are pending in the application, with Claims 2, 9 and 102 having been cancelled. Claims 1, 5, 8, 12, 100 and 101 have been amended, and Claims 1, 5, 8, 12, 100 and 101 are in independent form. Reconsideration and further examination are respectfully requested.

In the Office Action, Claims 1 to 4, 6 to 11, 13, 14, 100, 102 and 103 were rejected under 35 U.S.C. § 102(e) over U.S. Patent Application Publication No. 2005/0060198 (Bayne); Claims 5 and 12 were rejected under 35 U.S.C. § 103(a) over Bayne in view of U.S. Patent No. 5,363,842 (Mishelevich); and Claim 101 was rejected under 35 U.S.C. § 103(a) over Bayne in view of Mishelevich and further in view of U.S. Patent No. 5,894,841 (Voges). Claims 2, 9 and 102 have been cancelled without prejudice or disclaimer of the subject matter and without conceding the correctness of their rejection. Reconsideration and withdrawal of the rejection of the remaining claims are respectfully requested.

Claims 1, 8 and 100

Referring specifically to the claims, independent Claim 1 as amended is directed to a health management system for managing health of each user carrying a portable terminal. The health management system includes a portable terminal which is arranged to be carried by a user and includes a display screen, radio communication means for accessing a predetermined radio communication network, storage means for storing personal information of the user, wherein the personal information includes information of a clinical chart and prescription of the user, an input/output device for supporting health

management for the user, and an emergency notification switch for causing the portable terminal to enter an emergency notification mode. The health management system also includes a database including personal information storage means for storing the personal information about each user carrying the portable terminal, medical information storage means for storing information about a medical facility, a drugstore, a medicine, and the input/output device, and communication means for communicating with the portable terminal through the radio communication network. The radio communication means transmits part of the personal information stored in the storage means in starting to communicate with the database. The database further includes identification means for identifying the user of the portable terminal by collating the part of the information transmitted from the radio communication means with information stored in the personal information storage means, and emergency handling means which is activated and provides either communication with a medical facility whose information is stored in the medical information storage means or information stored in the medical information storage means, which is necessary for the identified user for the portable terminal, in accordance with information transmitted from the radio communication means, to the portable terminal when the portable terminal enters the emergency notification mode.

Independent Claim 8 as amended is directed to a method which is seen to generally correspond with Claim 1.

Independent Claim 100 as amended is directed to a information provision method for providing medical information about health, a medical treatment or a medicine from a database. The method includes the step of receiving, from a portable terminal through a network, user information stored in the portable terminal and an emergency

notification for causing the portable terminal to enter an emergency notification mode, wherein the user information includes a clinical chart and prescription of the user. The method also includes the step of identifying a user of the portable terminal by collating the user information transmitted from the portable terminal with personal information stored in the database. In addition, the method includes the step of providing either communication with a medical facility or the medical information stored in the database to the portable terminal of the identified user in the emergency notification mode.

A feature of the invention of Claims 1, 8 and 100 therefore lies in that personal information stored in a portable terminal for a user includes information of a clinical chart and prescription of the user. By virtue of this feature, a user can obtain appropriate medicine at a nearby pharmacy based on the personal information.

The applied references of Bayne, Mishelevich and Voges are not seen to disclose or suggest at least the foregoing feature.

As understood by Applicants, Bayne discloses that automatic equipment installed at a patient's home requests medical attention from the mobile care entity, and a call center 110 responds by selecting and dispatching one or more clinicians from its network. An internet capable medical device 106 transmits notification to a triage processing block 114. The notification can take various forms, such as a periodic report, an emergency request automatically generated in response to a condition such as dangerously low blood pressure, manually generated emergency request such as the patient's manual activation of a "panic button," etc. See Bayne, paragraph [0078]; and Figure 5. Furthermore, a clinician can prepare a record of an at-home patient visit by

assembling the clinician's notes, and reports from a clinician device 140. See Bayne, paragraph [0097].

However, nothing in Bayle is seen to disclose or suggest that personal information, which includes information of a clinical chart and prescription of the user, is stored in a portable terminal for a user. In addition, Bayle is not seen to suggest the attendant benefits provided by storing such personal information in a portable terminal carried by a user. Rather, Bayle is merely seen to disclose that automatic equipment of a user can be used to monitor dangerously low blood pressure, and that reports from a separate clinician device 140 can be used by a clinician to prepare a record of an at-home patient visit.

In addition, Mishelevich and Voges have been reviewed and are not seen to compensate for the deficiencies of Bayle.

Allowance of Claims 1, 8 and 100 is therefore respectfully requested.

Claims 5, 12 and 101

Independent Claim 5 as amended is directed to a health management system for managing health of each user carrying a portable terminal. The health management system includes a portable terminal which is arranged to be carried by a user and includes a display screen, radio communication means for accessing a predetermined radio communication network, a storage means for storing personal information of the user, an input/output device for supporting health management for the user, and an emergency notification switch for causing the portable terminal to enter an emergency notification mode. The health management system also includes a database including personal information storage means for storing the personal information about each user carrying the

portable terminal, medical information storage means for storing information about a medical facility, a drugstore, a medicine, and the input/output device, and communication means for communicating with the portable terminal through the radio communication network. The radio communication means transmits part of the personal information stored in the storage means in starting to communicate with the database. The input/output device is an inhaler for discharging a medicine in the form of fine droplets to make the user inhale the droplets, and the information about the input/output device includes information about handling of the inhaler. The database further includes identification means for identifying the user of the portable terminal by collating the part of the information transmitted from the radio communication means with information stored in the personal information storage means, and emergency handling means which is activated and provides either communication with a medical facility whose information is stored in the medical information storage means or information stored in the medical information storage means, which is necessary for the identified user for the portable terminal, in accordance with information transmitted from the radio communication means, to the portable terminal when the portable terminal enters the emergency notification mode.

Independent Claim 12 as amended is directed to a method which is seen to generally correspond with Claim 5.

Independent Claim 101 as amended is directed to an information provision method for providing medical information about health, a medical treatment or a medicine from a database. The method includes the step of receiving, from a portable terminal through a network, user information stored in the portable terminal and an emergency notification for causing the portable terminal to enter an emergency notification mode. The

method also includes the step of identifying a user of the portable terminal by collating the user information transmitted from the portable terminal with personal information stored in the database. In addition, the method includes the step of providing either communication with a medical facility or the medical information stored in the database to the portable terminal of the identified user in the emergency notification mode. The portable terminal includes an inhaler which discharges a medicine on the basis of an ink-jet scheme using heat.

Thus, among its many features, the invention of Claims 5, 12 and 101 provides that (i) a portable terminal for a user includes an inhaler for discharging a medicine in the form of fine droplets to make the user inhale the droplets (or a medicine on the basis of an ink-jet scheme using heat), and (ii) communication is provided with a medical facility in an emergency notification mode. By virtue of these features, a user can obtain advice directly from a doctor by making an emergency notification while using the inhaler.

The applied references of Bayne, Mishelevich and Voges are not seen to disclose or suggest at least the foregoing features.

The Office Action acknowledges that Bayne does not disclose an inhaler for discharging a medicine, but cites to column 4, line 35 to column 5, line 18 of Mishelevich for this alleged disclosure.

The cited portion of Mishelevich is seen to disclose the detection of how much air is inhaled through an inhaler with what time course (including such derived measurements as how much volume is inspired within the bounds of a given flow range) as well as certain events such as the triggering of the release of aerosol.

However, even if Bayne and Mishelevich are combined in the manner proposed in the Office Action (assuming for argument's sake that such combination would be permissible), an emergency call automatically made, or manually made by user activation, for a patient in Bayne based on data from the inhaler of Mishelevich would not be seen to be handled by a clinician. Rather, such a call would be seen to be handled by a call center, since the user and healthcare professional in Bayne are not seen to share information at the time of the emergency call notification.

In contrast, in the invention of Claims 5, 12 and 101, communication regarding an emergency can be provided to a medical facility. As such, a user is seen to obtain advice directly from a doctor by making the emergency notification while using the inhaler.

Accordingly, the result of combining Bayne and Mishelevich as proposed in the Office Action would not be seen to disclose(i) a portable terminal for a user including an inhaler for discharging a medicine in the form of fine droplets to make the user inhale the droplets (or a medicine on the basis of an ink-jet scheme using heat), and (ii) providing communication with a medical facility in an emergency notification mode. In addition, the result would not be seen to suggest the attendant benefits provided by such features.

In addition, Voges has been reviewed and are not seen to compensate for the deficiencies of Bayle and Mishelevich.

Allowance of Claims Claims 5, 12 and 101 is therefore respectfully requested.

Accordingly, based on the foregoing amendments and remarks, independent Claims 1, 5, 8, 12, 100 and 101 as amended are believed to be allowable over the applied references.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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